

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 23, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Board of Equalization meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 16, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated October 16, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 76 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Heier seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Blessed Sacrament School
Cornhusker Council, Boy Scouts of America
Developmental Services of Nebraska, Inc.
Indian Hills Community Church
Lincoln Medical Education Foundation, Inc.
Madonna Rehabilitation Hospital
Midwest District Missionary Church, Inc.
Women in Community Service, Inc.

MOTION: Heier moved and Hudkins seconded approval of the motor vehicle tax exemptions. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Heier moved and Workman seconded adjournment of the Board of Equalization meeting at 1:35 p.m. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 23, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Board of Commissioners meeting was convened at 1:35 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 16, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Workman moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated October 16, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, October 23, 2001.

MOTION: Workman moved and Heier seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

- 3) **PUBLIC HEARINGS:**

A. Proposed amusement license application forms.

The Chair opened the public hearing and asked if anyone wished to testify.

3) **PUBLIC HEARINGS CONTINUED:**

No one appeared and the hearing was closed.

MOTION: Hudkins moved and Stevens seconded to approve the amusement license application form and to request the County Attorney's Office to prepare a resolution for adoption at the October 30, 2001 County Board of Commissioners meeting. Stevens, Workman, Heier, Campbell and Heier voted aye. Motion carried.

4) **OLD BUSINESS:**

A. A contract with Child Guidance Center for expediting the provision of wraparound services for juveniles and their families through flexible funding, beginning November 1, 2000 and ending December 31, 2002. The County shall pay the contractor an amount not to exceed \$75,000. (C-01-222)

The Clerk announced that the item has been dropped from the agenda.

B. An application for an amusement license from Ron Talbert to operate a fund raiser on Saturday, October 27, 2001 from 8 p.m. to 11:30 p.m. at Broken Spoke Trading Post, located at 201 West South Street in Lincoln, Lancaster County, Nebraska.

J. Michael Rierden, attorney representing Ron Talbert, applicant, appeared and requested that the application be withdrawn. He noted that the applicant plans to make additional requests in the spring of 2002.

Rierden also reported on an outdoor concert that was held at Broken Spoke Trading Post on October 20, 2001, noting attendance was less than expected. He addressed several concerns that were expressed by the Lancaster County Sheriff in a letter dated October 22, 2001. Rierden said his client tried to comply with a Deputy Sheriff's request regarding noise complaints. He also stated that his client did not know how an individual, who was reported to have had a beer and marijuana, had gained access to the event and said he will try to prevent this from happening at future concerts.

In response to a question from Heier, Rierden said the starting time listed in the "Ground Zero" entertainment section of the Lincoln Journal Star newspaper was a misprint.

4) **OLD BUSINESS CONTINUED:**

MOTION: Heier moved and Workman seconded to approve withdrawal of the amusement license application, at the request of the applicant. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

5) **NEW BUSINESS:**

A. An agreement between Lancaster County, on behalf of the Cooperative Extension Office, the Lincoln Housing Authority and the Board of Regents of the University of Nebraska for the operation of the Nutritional Education Program (NEP), beginning September 1, 2001 and ending August 31, 2002. The University will provide one full-time NEP Nutrition Assistant to handle County and Housing Authority referrals. The County will pay \$13,224 for these services. (C-01-521)

MOTION: Hudkins moved and Workman seconded approval. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

B. Grant contracts with the following:

○ Y.W.C.A. of Lincoln for the Survival Skills Program, in the amount of \$10,000, beginning August 1, 2001 and ending July 31, 2002. (C-01-522)

○ Y.W.C.A. of Lincoln for "Try It Another Way", in the amount of \$58,850, beginning July 1, 2001 and ending June 30, 2002. (C-01-523)

MOTION: Stevens moved and Heier seconded approval. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

C. Grant contracts with Cedars Youth Services, Inc. for the following services:

- O Community Integration Team Grant, in the amount of \$ 65,000, beginning July 1, 2001 and ending June 30, 2002. (C-02-535)**
- O A full-time Drug Court Tracker, in the amount of \$20,000 beginning April 1, 2001 and ending September 30, 2001. (C-01-536)**
- O An Intensive Tracker, a Follow Through Tracker, Tracker program support and a Day Reporting Center, in the total amount of \$143,804, beginning July 1, 2001 and ending June 30, 2002. (C-01-537)**
- O Minority Outreach Diversion Program, in the amount of \$33,000, beginning July 1, 2001 and ending June 30, 2002. (C-01-538)**
- O Truancy Intervention Program, in the amount of \$50,000, beginning July 1, 2001 and ending June 30, 2002. (C-01-539)**
- O Tracker services, in the amount of \$13,748, beginning July 1, 2001 and ending June 30, 2002. (C-01-540)**

MOTION: Heier moved and Stevens seconded approval. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

D. An agreement between Lancaster County, on behalf of Families First and Foremost, and the Indian Center, Inc. for care coordination using the wraparound process for ten families with youth ages ten to eighteen who have severe emotional disorders and who are at risk of becoming involved with the Juvenile Justice System. The agreement begins October 1, 2001 and ends September 30, 2002. The County will pay \$45,000 for the services. (C-01-524)

MOTION: Workman moved and Stevens seconded approval. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- E. An agreement between Lancaster County, on behalf of Families First and Foremost, and Family Service Association for care coordination using the wraparound process for twenty families with youth ages ten to eighteen who have severe emotional disorders and who are at risk of becoming involved with the Juvenile Justice System. The Agreement begins October 1, 2001 and ends September 30, 2002. The County will pay \$90,000 for the services.
(C-01-443)

MOTION: Heier moved and Stevens seconded approval. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- F. An agreement between the Lancaster County Engineering Department and Midwest Right-of-Way Services, in the amount of \$22,000, for the acquisition of right-of-way. This will involve fee simple interests, as well as permanent and temporary easements from thirteen property owners for constructing a viaduct over the Burlington Northern-Sante Fe Railroad main line where it crosses Firth Road in Lancaster County, Nebraska; Project C55-X-402(5), Firth Viaduct.
(C-01-529)

Don Thomas, County Engineer, appeared and requested that the item be delayed one week.

MOTION: Hudkins moved and Heier seconded to delay the item one week, at the request of the County Engineer. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

- G. An interlocal agreement with the City Lincoln-Lancaster County Railroad Transportation Safety District and the City of Lincoln and Lancaster County for the removal of the Union Pacific railroad track along the 4th Street Corridor from Jamaica to Lincoln. Tracks to be removed will include the following streets: Saltillo Road, South 14th Street, Old Cheney Road, Pioneers Boulevard, South Street, "A" Street, "B" Street, "C" Street, "D" Street, "E" Street, "F" Street, "G" Street and "J" Street. (C-01-541)

MOTION: Heier moved and Workman seconded approval. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

H. An engineering agreement between the Lancaster County Engineering Department and Speece Lewis for design and preparation of plans for the construction of a vehicular viaduct/stream crossing on South 68th Street over the Burlington Northern-Sante Fe railway tracks and Salt Creek immediately south of Hickman. The County will pay a maximum of \$60,300. (C-01-542)

MOTION: Hudkins moved and Workman seconded approval. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

I. An agreement between the Lancaster County Election Commission Office and the League of Women Voters for staffing at voter registration sites and election night workers, beginning September 1, 2001 and ending August 31, 2002. The County will pay \$3.25 an hour, not to exceed \$800 for the services. (C-01-525)

MOTION: Heier moved and Stevens seconded approval. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

In response to a question from Heier, Diane Staab, Deputy County Attorney, said the fee is set in the Nebraska Revised Statutes.

J. A resolution in the matter of setting the special election and boundaries of the Countrylane Estates Special Paving Improvement District in Lancaster County, Nebraska. (R-01-102)

MOTION: Heier moved and Stevens seconded approval. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

K. A resolution implementing self funding of the dental plan for County employees pursuant to the Political Subdivisions Self-Funding Act. (R-01-104)

In response to a question from Stevens, Georgia Glass, Personnel Director, said Marsh USA, Inc., insurance consultant, will track claims experience and provide periodic updates.

MOTION: Hudkins moved and Heier seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

L. A resolution decreasing the waiting period for medical insurance for County employees in the Classified service from six months to three months. (R-01-103)

Georgia Glass, Personnel Director, appeared and said the six month waiting period is a burden for many employees and a recruitment issue for some positions. She also reported that the City has decreased its waiting period from six months to three months.

In response to a question from Workman, the Chair said Dave Kroeker, Budget and Fiscal Officer, has indicated a total county cost of \$191,919.

MOTION: Heier moved and Stevens seconded approval. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

M. A resolution defining medical insurance benefits for County employees who are on leave for active duty in the military. (R-01-105)

Georgia Glass, Personnel Director, appeared and explained that employees on military leave without pay for 31 days or less are required to be covered by the County's health, dental, vision and life insurance plans at the employee's premium cost. Employees on leave more than 31 days may elect to retain their insurance for 18 months under the County's Combined Omnibus Budget Reconciliation Act (COBRA) provisions. She said this resolution will treat employees on military leave the same as employees who are granted a maximum of 12 weeks of leave per year for personal or family illness under the Family Medical Leave Act (FMLA) and will allow them to keep their group benefits for that period and pay only the employee portion of the premiums.

The Chair noted that resolution provides for annual review by the County Board and may be rescinded at any time, for any reason.

MOTION: Heier moved and Stevens seconded approval. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

N. A proposal from United HealthCare to increase health insurance premiums by 13.8 percent and adopt a formulary plan for prescription medications.

Georgia Glass, Personnel Director, appeared and said United HealthCare has agreed to a 13.8% rate increase, based upon a review of the claims experience. She said the rate proposal is contingent upon the County's acceptance of a three-tier pharmacy co-payment program - \$10 (generic)/\$20 (preferred drug list)/\$35 (non-preferred drug list).

In response to a question from Hudkins, Glass said United HealthCare did not offer an option to increase the \$8 (generic)/\$18 (brand name drug) co-payment amount.

Hudkins noted that the Board had asked Marsh USA, Inc., insurance consultant, to seek a rate with that option.

Glass said United HealthCare had originally proposed a 24.0% rate increase that maintained the \$8 (generic)/\$18 (brand name drug) co-payment amount and had offered to reduce that rate to 19.5%, contingent upon acceptance of a non-preferred drug list (formulary). She added that Marsh USA, Inc. believes it is in the County's best of interest to move to a formulary plan.

The Chair noted that the difference between the rate increase of 13.8% and the quoted rates of 19.5% and 24.0 % is \$338,000 and \$605,000, respectively.

Heier said the Board has asked Marsh USA, Inc. to follow up on a question from Melvin Moore, American Federation of State, County & Municipal Employees (AFSCME) President, as to whether exceptions can be made for employees that do not have success with alternative drugs on the formulary list or are required by their doctors to use drugs that are not on the list.

Glass said Marsh USA, Inc. posed the question to United HealthCare and was told that exceptions are not a possibility. She added that Craig Andreason, United HealthCare Director of Pharmacy, has stated that there are effective drugs on the formulary list for 98% of the prescriptions written.

Hudkins said he is concerned about the cost burden to employees, particularly those on the lower tier of the wage scale. He suggested that a reserve fund be set up to assist those employees.

5) **NEW BUSINESS CONTINUED:**

Glass said AFSCME and unrepresented employees will pay significantly less in the coming plan year, even with the rate increase, as the County will be picking up a greater share of their premiums.

Hudkins asked how the bargaining units had responded to the proposal.

Glass said she met with the Employees Advisory Team (EAT) Chair, and the presidents of the bargaining units regarding the previous proposal and all, with the exception of AFSCME, were willing to accept the 19.5% rate increase and the formulary plan. She added that the representatives believe that a lower overall percentage increase is in the best interest of the entire group.

Glass also noted that AFSCME had suggested changing the generic co-payment amount to \$5, as an incentive to use generic equivalent drugs, but said United HealthCare does not offer that option.

The Chair suggested that employees plan for the added expense when making Flexible Employee Benefit Account (FEBA) elections.

The Board asked Glass to check whether the mail order plan will cover all of the drugs in the formulary list.

MOTION: Workman moved and Heier seconded approval of the proposal from United HealthCare. Heier, Campbell, Stevens and Workman voted aye. Hudkins voted no. Motion carried.

O. Liability insurance coverage with National Legal Aid and Defender Association (NLADA) for the Public Defender's Office, beginning November 1, 2001, in the amount of \$6,375. (M-01-120)

MOTION: Heier moved and Stevens seconded approval. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

P. Placing on file of a real estate agreement with Chrystyna Stronskij and the Public Building Commission for the acquisition of property described as Lot 7, Block 145 Original Plat. (C-01-526)

MOTION: Heier moved and Hudkins seconded approval. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

Q. Request from Land and Sky for a refund of real estate taxes for 1999, in the approximate amount of \$1,297.04 and for 2000, in the approximate amount of \$1,292.46. (M-01-119)

The Chair said the County Assessor has indicated that this is a correction in square footage.

MOTION: Workman moved and Hudkins seconded approval. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

R. A political subdivision tort claim filed against the Lancaster County Corrections Department by Eli N. Miller for missing property, in the amount of \$25.

MOTION: Heier moved and Stevens seconded to follow the recommendation of the Corrections Director and deny the claim. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

S. Finalize the meeting schedule for the Lancaster County Board for the upcoming holiday season. The Lancaster County Board will not meet on the following dates:

- O Tuesday, November 20, 2001**
- O Thursday, November 22, 2001**
- O All regular and staff County Board meetings from Tuesday, December 25, 2001 through Thursday, January 3, 2002.**

The County Board will resume meetings on Tuesday, January 8, 2002.

MOTION: Heier moved and Stevens seconded approval. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

T. A resolution authorizing the installation of the following traffic signs in Lancaster County, Nebraska: (R-01-106)

At the intersection of SW 126th Street and West A Street, just south of the intersection:

- ☐ A stop sign for northbound traffic
- ☐ A no outlet sign for southbound traffic

On Bridge F-44 located on NW 48th Street approximately ½ mile north of West Fletcher Street:

- ☐ Weight limit sign on the north end of the bridge for southbound traffic
- ☐ Weight limit sign on the south end of the bridge for northbound traffic
- ☐ Weight limit sign and a distance (½ mile) plate just south of Hwy 34 for southbound traffic
- ☐ Weight limit sign and distance (1 mile) plate just south of West Cuming Street, for northbound traffic

MOTION: Heier moved and Stevens seconded approval. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Sheriff's Report of Fees for September, 2001.
2. Lincoln City Libraries Director's Report for September, 2001.

6) CONSENT ITEMS CONTINUED:

- B. Setting of a public hearing for Tuesday, October 30, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building to increase the appropriations for the Grants Fund \$2,700,000 to allow for an intergovernmental payment of \$17,400,000 versus the \$14,700,000 that was anticipated at the time the budget was adopted. The Intergovernmental Transfer Program is between the Nebraska Department of Health and Human Services (Department) and Nebraska's city and county owned nursing facilities.
- C. A leasehold contract relating to culvert construction between the Lancaster County Engineering Department and Allen Sieck, in the amount of \$10, approximately 410 feet east on Kolbrook Road; Project C.P.-N-5. (C-01-527)
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- O Jeanne' Branch Boman, in the amount of \$318.90, approximately 410 feet east on Kolbrook Road; Project C.P. -N. (C-01-528)
 - O Warner Hereford Farms, L.L.C., in the total amount of \$866.76, at approximately North 148th Street and Fletcher Avenue; Project C55-H-409(1). (2 contracts) (C-01-530 and C-01-531)
 - O Connie Heier and Patricia Slaughter, in the total amount of \$9,376.75, at 2500 South 120th Street; Project C55-Q-407(1). (3 contracts) (C-01-532 through C-01-534)

The Clerk said the right-of-way contract for Connie Heier and Patricia Slaughter has been removed from the Consent Items, at Commissioner Heier's request.

MOTION: Hudkins moved and Stevens seconded approval of the Consent Items, with that deletion. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

MOTION: Hudkins moved and Workman seconded approval of the right-of-way contract for Connie Heier and Patricia Slaughter. Stevens, Hudkins, Workman and Campbell voted aye. Heier abstained from voting. Motion carried.

7) **ADJOURNMENT:**

MOTION: Hudkins moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:35 p.m. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk